



VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE
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Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director
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Regional Director

**STATE WATER CONTROL BOARD
ENFORCEMENT ACTION - ORDER BY CONSENT
ISSUED TO
Cedar Mountain Stone Corporation
FOR
Cedar Mountain Stone - Mitchells
VPDES Permit No. VAG840109**

SECTION A: Purpose

This is a Consent Order issued under the authority of Va. Code § 62.1-44.15, between the State Water Control Board and Cedar Mountain Stone Corporation, regarding the Cedar Mountain Stone – Mitchells facility, for the purpose of resolving certain violations of the State Water Control Law and the applicable permit and regulation.

SECTION B: Definitions

Unless the context clearly indicates otherwise, the following words and terms have the meaning assigned to them below:

1. “305(b) report” means the report required by Section 305(b) of the Clean Water Act (33 United States Code § 1315(b)), and Va. Code § 62.1-44.19:5 for providing Congress and the public an accurate and comprehensive assessment of the quality of State surface waters.
2. “Board” means the State Water Control Board, a permanent citizens’ board of the Commonwealth of Virginia, as described in Va. Code §§ 10.1-1184 and 62.1-44.7.
3. “Department” or “DEQ” means the Department of Environmental Quality, an agency of the Commonwealth of Virginia, as described in Va. Code § 10.1-1183.

4. "Director" means the Director of the Department of Environmental Quality, as described in Va. Code § 10.1-1185.
5. "Discharge" means the discharge of a pollutant.
6. "Discharge of a pollutant" when used with reference to the requirements of the VPDES permit program means:
 - a. Any addition of any pollutant or combination of pollutants to surface waters from any point source; or
 - b. Any addition of any pollutant or combination of pollutants to the waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation.
7. "DMR" means Discharge Monitoring Report.
8. "Effluent" means wastewater – treated or untreated – that flows out of a treatment plant, sewer, or industrial outfall.
9. "Facility" or "Site" means the Cedar Mountain Stone – Mitchells quarry and the co-located asphalt and concrete plants, located at 10496 Quarry Drive, Mitchells, Culpeper County, Virginia 22729, from which discharges of stormwater and process water associated with non-metallic mineral mining activity occur.
10. "Cedar Mountain Stone Corporation" means Cedar Mountain Stone Corporation, a corporation authorized to do business in Virginia and its affiliates, partners, and subsidiaries. Cedar Mountain Stone Corporation is a "person" within the meaning of Va. Code § 62.1-44.3.
11. "Notice of Violation" or "NOV" means a type of Notice of Alleged Violation under Va. Code § 62.1-44.15.
12. "NRO" means the Northern Regional Office of DEQ, located in Woodbridge, Virginia.
13. "Order" means this document, also known as a "Consent Order" or "Order by Consent," a type of Special Order under the State Water Control Law.
14. "Permit" means VPDES General Permit No. VAG840, which was issued under the State Water Control Law and the Regulation on July 1, 2019, and which expires on June 30, 2024. Cedar Mountain Stone Corporation applied for registration under the Permit and was issued Registration No. VAG840109 on June 28, 2019.
15. "Pollutant" means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as

amended (42 USC § 2011 *et seq.*)), heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water... 9 VAC 25-31-10.

16. "Pollution" means such alteration of the physical, chemical, or biological properties of any state waters as will or is likely to create a nuisance or render such waters (a) harmful or detrimental or injurious to the public health, safety, or welfare or to the health of animals, fish, or aquatic life; (b) unsuitable with reasonable treatment for use as present or possible future sources of public water supply; or (c) unsuitable for recreational, commercial, industrial, agricultural, or other reasonable uses, provided that (i) an alteration of the physical, chemical, or biological property of state waters or a discharge or deposit of sewage, industrial wastes or other wastes to state waters by any owner which by itself is not sufficient to cause pollution but which, in combination with such alteration of or discharge or deposit to state waters by other owners, is sufficient to cause pollution; (ii) the discharge of untreated sewage by any owner into state waters; and (iii) contributing to the contravention of standards of water quality duly established by the Board, are "pollution." Va. Code § 62.1-44.3.
17. "Regulation" means the "Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Nonmetallic Mineral Mining," 9 VAC 25-190-10, *et seq.*
18. "State Water Control Law" means Chapter 3.1 (§ 62.1-44.2 *et seq.*) of Title 62.1 of the Va. Code.
19. "State waters" means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands. Va. Code § 62.1-44.3.
20. "SWMP" means stormwater management pond.
21. "SWPPP" means Stormwater Pollution Prevention Plan.
22. "Va. Code" means the Code of Virginia (1950), as amended.
23. "VAC" means the Virginia Administrative Code.
24. "VPDES" means Virginia Pollutant Discharge Elimination System.

SECTION C: Findings of Fact and Conclusions of Law

1. Cedar Mountain Stone Corporation owns and operates the Cedar Mountain Stone – Mitchells Facility located at 10496 Quarry Drive, Mitchells, Virginia, which discharges stormwater and process water associated with nonmetallic mineral mining activity.

2. The Permit allows Cedar Mountain Stone Corporation to discharge process water and stormwater associated with industrial activity from the Facility to Cabin Branch, in strict compliance with the terms and conditions of the Permit.
3. Cabin Branch is located in the Rappahannock River Basin. The segment of Cabin Branch where this facility discharges has been neither monitored nor assessed. The nearest downstream assessed waterbody is Cedar Run, approximately 2.8 miles downstream. Cedar Run is listed in DEQ's 305(b) report as impaired for recreational use and aquatic life use.
4. DEQ staff conducted a site inspection of the Facility on March 10, 2020, and observed several deficiencies with the Permit and Regulation and State Water Control Law.
5. During the March 10, 2020 inspection, DEQ staff observed deficiencies in housekeeping and maintenance as follows:
 - a. The trash collector on the riser structure to Outfall 001 was covered in debris;
 - b. There was petroleum staining in the equipment storage area under stored vehicles and under a drum in the drum rack storing empty drums;
 - c. There was sediment deposition along the facility access road, between the mine and the asphalt plant, adjacent to Outfalls 001 and 002, as well as downstream of Outfall 002. An active discharge from Outfall 002 was not observed during the inspection but would have occurred previously in order to deposit sediments from one or more sources upstream (DEQ has no record of any unauthorized discharged reported by the RP).
6. Permit Condition, Part III.Q., states: "Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit."
7. Permit Condition, Part II.H.3.a, states: "Good housekeeping. Good housekeeping requires the clean and orderly maintenance of areas that may contribute pollutants to stormwater discharges. The SWPPP shall describe procedures performed to minimize contact of materials with stormwater runoff. Particular attention should be paid to areas where raw materials are stockpiled, material handling areas, storage areas, liquid storage tanks, vehicle fueling and maintenance areas, loading or unloading areas, and vehicle entrance and exits. The permittee shall keep clean all exposed areas of the facility that are potential sources of pollutants in stormwater. The permittee shall sweep or vacuum paved surfaces of the site that are exposed to stormwater at regular intervals or use other equivalent measures to minimize the potential discharge of these materials in stormwater. Indicate in the SWPPP the frequency of sweeping, vacuuming, or other equivalent measures."

8. Permit Condition, Part III.F, and Va. Code § 62.1-44.5, states that: "Except in compliance with this permit or another permit issued by the board, it shall be unlawful for any person to discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances."
9. Permit Condition, Part III.G, and Va. Code § 62.1-44.5.B states: "Reports of unauthorized discharges. Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part III F (unauthorized discharges); or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part III F, shall notify the department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the department within five days of discovery of the discharge."
10. Permit Condition, Part I.B.10, states: "There shall be no: a. Discharge of floating solids or visible foam in other than trace amounts from process water discharges; b. Solids deposition to surface water as a result of a discharge associated with industrial activity; or c. Oil sheen resulting from petroleum products discharged to surface water as a result of the industrial activity."
11. During the March 10, 2020, inspection, DEQ staff observed mineral filler (referred to in DEQ reports as asphalt bag house dust) being stored onsite, and was observed along the mine road, as well as the culvert and settling pond that drain to Outfall 002.
12. Permit Condition, Part I.B.6, states: "Any and all product, materials, industrial wastes, or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation, or storage of raw or intermediate materials, final product, by-product, or wastes shall be handled, disposed of, or stored in such a manner and consistent with best management practices, so as not to permit a discharge of such product, materials, industrial wastes, or other wastes to state waters, except as expressly authorized."
13. Permit Condition, Part I.B.7, states: "There shall be no discharge of process wastewater pollutants from colocated asphalt paving materials operations. For the purposes of this special condition, process wastewater pollutants are any pollutants present in water used in asphalt paving materials manufacturing that come into direct contact with any raw materials, intermediate product, by-product or product related to the asphalt paving materials manufacturing process."
14. During the March 10, 2020, inspection, DEQ staff observed a stormwater pond adjacent to topsoil and fill material stockpiles, complete with an outfall and overflow structure, which was not included in the registration statement or site map, and is therefore considered an unpermitted outfall.

15. The Regulation at 9VAC25-190-50 states that “A. Any owner governed by this general permit is authorized to discharge process wastewater and stormwater as described in 9VAC25-190-20.A.1 and 2 to surface waters of the Commonwealth of Virginia provided that: 1. The owner submits a registration statement in accordance with 9VAC25-190-60, and that registration statement is accepted by the board.”
16. During the March 10, 2020 inspection, DEQ staff observed that the following items were not denoted on the site map in the Stormwater Pollution Prevention Plan (“SWPPP”):
 - a. The drainage area for each outfall, fueling stations, vehicle or equipment degreasing, cleaning areas, loading or unloading, locations used for the treatment, storage or disposal of wastes and wastewaters, liquid storage tanks, processing areas, and storage areas;
 - b. The stormwater pond adjacent to the topsoil and fill material stockpile (unpermitted outfall);
 - c. The location of the reconstructed drainage ditch; and
 - d. The flow path between the settling ponds before Outfall 002.
17. Permit Condition, Part II.H.2.a, states: “Site map. The site map shall document: (1) An outline of the drainage area of each stormwater outfall that are within the facility boundaries, each existing structural control measure to reduce pollutants in stormwater run-off, surface water bodies, locations where materials are exposed to precipitation, locations where major spills or leaks identified under Part II H 2 c (spills and leaks) of this permit have occurred, and the locations of the following activities where such activities are exposed to precipitation: fueling stations, vehicle or equipment degreasing, cleaning areas, loading or unloading, locations used for the treatment, storage or disposal of wastes and wastewaters, liquid storage tanks, processing areas, and storage areas. The map must indicate all outfall locations. The types of discharges contained in the drainage areas of the outfalls must be indicated either on the map or in an attached narrative.”
18. During the March 10, 2020, inspection, DEQ staff observed that no routine facility inspections were conducted at the concrete plant, and any routine facility inspection reports for the quarry were unavailable.
19. Permit Condition, Part II.H.3.d, states: “Routine facility inspections. (1) Personnel who are familiar with the mining activity, the best management practices, and the SWPPP shall be identified to conduct routine facility inspections. Such inspections must include all areas where industrial materials or activities are exposed to stormwater as identified in Part II H 2 b (inventory of exposed materials), including material storage and handling areas, areas where aggregate is stockpiled outdoors, liquid storage tanks, hoppers or silos, material handling vehicles, equipment, and processing areas; off-site tracking of industrial or waste materials or sediment where vehicles enter or exit the site; vehicle and equipment maintenance areas and cleaning and fueling areas; best management practices; and discharge points. ... (3) Site inspection and best management practices inspection results must be documented and maintained on-site with the SWPPP.”

20. During the March 10, 2020, inspection, DEQ staff observed that maintenance records of the oil and water separator were not available for review. Additionally, The SWPPP outlines preventative maintenance on the SWMP prior to Outfall 001, however there were no preventative maintenance records available to review during the inspection.
21. Permit Condition, Part II.H.3.b, states: "Preventive maintenance. A preventive maintenance program shall involve regular inspection, testing, maintenance, and repairing of all industrial equipment and systems to avoid breakdowns or failures that could result in leaks, spills, and other releases. All BMPs identified in the SWPPP shall be maintained in effective operating condition. The SWPPP shall include a description of procedures and a regular schedule for preventive maintenance and observation of all BMPs and shall include a description of the back-up practices that are in place should a run-off event occur while a BMP is off line or not operating effectively. The effectiveness of nonstructural BMPs shall also be maintained by appropriate means (e.g., spill response supplies available and personnel trained). If site inspections required by Part II H 3 d (routine facility inspections) identify BMPs that are not operating effectively, repairs or maintenance shall be performed before the next anticipated storm event. If maintenance prior to the next anticipated storm event is not possible, maintenance shall be scheduled and accomplished as soon as practicable. Documentation shall be kept with the SWPPP of maintenance and repairs of BMPs, including the dates of regular maintenance, dates of discovery of areas in need of repair or replacement, dates for repairs, dates that the BMPs returned to full function, and the justification for an extended maintenance or repair schedules. The maintenance program shall require periodic removal of debris from discharge diversions and conveyance systems. Permittees using settling basins to control their effluents must provide maintenance schedules for such basins in the SWPPP."
22. Permit Condition, Part II.H.3.f, states: "Recordkeeping and internal reporting procedures. A description of incidents such as spills, or other discharges, along with other information describing the quality and quantity of stormwater discharges shall be included in the SWPPP required under this part. Inspections and maintenance activities shall be documented and records of such activities shall be incorporated into the SWPPP. Ineffective best management practices must be recorded and the date of their corrective action noted in the SWPPP."
23. Permit Condition, Part III.D, states: "Duty to provide information. The permittee shall furnish to the department, within a reasonable time, any information that the board may request to determine whether cause exists for terminating coverage under this permit or to determine compliance with this permit. The board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from its discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the department, upon request, copies of records required to be kept by this permit."

24. A file review conducted on submitted DMRs from the Facility demonstrated that the 1st Quarter 2020 DMR reported a minimum pH value of 5.69 SU for Outfall 001, and 5.71 SU for Outfall 002.
25. Part I.A of the Permit requires effluent discharges from Outfalls 001 and 002 to have a pH of at least 6.0 SU, and at most 9.0 SU.
26. On May 18, 2020, NRO issued Notice of Violation No. W2020-05-N-0002 for the violations noted above.
27. Cedar Mountain Stone Corporation responded to the Notice of Violation by submitting evidence of corrective actions to address the violations, including updates to the site map and Permit registration statement; photographs of corrective maintenance performed on the oil-water separator and oil stained Facility grounds; and photos of sediment deposit cleanup and improved management practices around mineral filler storage areas. Responses to the NOV also included plans that future routine inspections will include the concrete plant; that the underground oil-water separator has been added to an annual cleaning schedule; and that the SWMP is scheduled to be dredged in 2020.
28. On June 10, 2020, Department staff met with representatives of Cedar Mountain Stone Corporation to discuss the violations, including Cedar Mountain Stone Corporation's written response.
29. Va. Code § 62.1-44.5 states that: "[E]xcept in compliance with a certificate issued by the Board, it shall be unlawful for any person to discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances
30. The Regulation, at 9 VAC 25-151-70, also states that except in compliance with a VPDES permit, or another permit issued by the Board, it is unlawful to discharge into state waters sewage, industrial wastes or other wastes.
31. Va. Code § 62.1-44.15(5a) states that a VPDES permit is a "certificate" under the statute.
32. The Department has issued coverage under Air Registrations 40667, 41067, 40884, and 40930, as well as under Tanks ID 3037292 to Cedar Mountain Stone Corporation at this Facility, in addition to VPDES Permit No. VAG840109.
33. Cabin Branch is a surface water located wholly within the Commonwealth and is a "state water" under State Water Control Law.
34. Based on the results of the March 10, 2020, inspection, and the file review, the Board concludes that Cedar Mountain Stone Corporation has violated conditions: Part I.A, Part I.B.6, Part I.B.7, Part I.B.10, Part II.H.2.a, Part II.H.3.a, Part II.H.3.b, Part II.H.3.d, Part II.H.3.f, Part III.D, Part III.F, Part III.G, and Part III.Q of the Permit; as well as the

Regulation at 9 VAC 25-190-50; and the State Water Control Law § 62.1-44.5 as noted in paragraphs C(1) through C(33) of this Order.

35. In order for Cedar Mountain Stone Corporation to complete its return to compliance, DEQ staff and Cedar Mountain Stone Corporation have agreed to the Schedule of Compliance, which is incorporated as Appendix A of this Order.

SECTION D: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code §§ 62.1-44.15, the Board orders Cedar Mountain Stone Corporation, and Cedar Mountain Stone Corporation agrees to:

1. Perform the actions described in Appendix A of this Order; and
2. Pay a civil charge of **\$15,000** within 30 days of the effective date of the Order in settlement of the violations cited in this Order.

Payment shall be made by check, certified check, money order or cashier's check payable to the "Treasurer of Virginia," and delivered to:

Receipts Control
Department of Environmental Quality
Post Office Box 1104
Richmond, Virginia 23218

Cedar Mountain Stone Corporation shall include its Federal Employer Identification Number (FEIN) with the civil charge payment and shall indicate that the payment is being made in accordance with the requirements of this Order for deposit into the Virginia Environmental Emergency Response Fund (VEERF). If the Department has to refer collection of moneys due under this Order to the Department of Law, Cedar Mountain Stone Corporation shall be liable for attorneys' fees of 30% of the amount outstanding.

SECTION E: Administrative Provisions

1. The Board may modify, rewrite, or amend this Order with the consent of Cedar Mountain Stone Corporation for good cause shown by Cedar Mountain Stone Corporation, or on its own motion pursuant to the Administrative Process Act, Va. Code § 2.2-4000 *et seq.*, after notice and opportunity to be heard.
2. This Order addresses and resolves only those violations specifically identified in Section C of this Order. This Order shall not preclude the Board or the Director from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; (2) seeking subsequent remediation of the facility; or (3) taking subsequent action to enforce the Order.

3. For purposes of this Order and subsequent actions with respect to this Order only, Cedar Mountain Stone Corporation admits to the jurisdictional allegations, and agrees not to contest, but neither admits nor denies, the findings of fact and conclusions of law in this Order.
4. Cedar Mountain Stone Corporation consents to venue in the Circuit Court of the City of Richmond for any civil action taken to enforce the terms of this Order.
5. Cedar Mountain Stone Corporation declares it has received fair and due process under the Administrative Process Act and the State Water Control Law and it waives the right to any hearing or other administrative proceeding authorized or required by law or regulation, and to any judicial review of any issue of fact or law contained herein. Nothing herein shall be construed as a waiver of the right to any administrative proceeding for, or to judicial review of, any action taken by the Board to modify, rewrite, amend, or enforce this Order.
6. Failure by Cedar Mountain Stone Corporation to comply with any of the terms of this Order shall constitute a violation of an order of the Board. Nothing herein shall waive the initiation of appropriate enforcement actions or the issuance of additional orders as appropriate by the Board or the Director as a result of such violations. Nothing herein shall affect appropriate enforcement actions by any other federal, state, or local regulatory authority.
7. If any provision of this Order is found to be unenforceable for any reason, the remainder of the Order shall remain in full force and effect.
8. Cedar Mountain Stone Corporation shall be responsible for failure to comply with any of the terms and conditions of this Order unless compliance is made impossible by earthquake, flood, other acts of God, war, strike, or such other unforeseeable circumstances beyond its control and not due to a lack of good faith or diligence on its part. Cedar Mountain Stone Corporation shall demonstrate that such circumstances were beyond its control and not due to a lack of good faith or diligence on its part. Cedar Mountain Stone Corporation shall notify the DEQ Regional Director verbally within 24 hours and in writing within three business days when circumstances are anticipated to occur, are occurring, or have occurred that may delay compliance or cause noncompliance with any requirement of the Order. Such notice shall set forth:
 - a. the reasons for the delay or noncompliance;
 - b. the projected duration of any such delay or noncompliance;
 - c. the measures taken and to be taken to prevent or minimize such delay or noncompliance; and
 - d. the timetable by which such measures will be implemented and the date full compliance will be achieved.

Failure to so notify the Regional Director verbally within 24 hours and in writing within three business days, of learning of any condition above, which the parties intend to assert will result in the impossibility of compliance, shall constitute a waiver of any claim to inability to comply with a requirement of this Order.

9. This Order is binding on the parties hereto and any successors in interest, designees and assigns, jointly and severally.
10. This Order shall become effective upon execution by both the Director or his designee and Cedar Mountain Stone Corporation. Nevertheless, Cedar Mountain Stone Corporation agrees to be bound by any compliance date which precedes the effective date of this Order.
11. This Order shall continue in effect until:
 - a. The Director or his designee terminates the Order after Cedar Mountain Stone Corporation has completed all of the requirements of the Order;
 - b. Cedar Mountain Stone Corporation petitions the Director or his designee to terminate the Order after it has completed all of the requirements of the Order and the Director or his designee approves the termination of the Order; or
 - c. the Director or Board terminates the Order in his or its sole discretion upon 30 days' written notice to Cedar Mountain Stone Corporation.

Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve Cedar Mountain Stone Corporation from its obligation to comply with any statute, regulation, permit condition, other order, certificate, certification, standard, or requirement otherwise applicable.

12. Any plans, reports, schedules or specifications attached hereto or submitted by Cedar Mountain Stone Corporation and approved by the Department pursuant to this Order are incorporated into this Order. Any non-compliance with such approved documents shall be considered a violation of this Order.
13. The undersigned representative of Cedar Mountain Stone Corporation certifies that he or she is a responsible official authorized to enter into the terms and conditions of this Order and to execute and legally bind Cedar Mountain Stone Corporation to this document. Any documents to be submitted pursuant to this Order shall also be submitted by a responsible official of Cedar Mountain Stone Corporation.
14. This Order constitutes the entire agreement and understanding of the parties concerning settlement of the violations identified in Section C of this Order, and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Order.

15. By its signature below, Cedar Mountain Stone Corporation voluntarily agrees to the issuance of this Order.

And it is so ORDERED this 20th day of April, 2021.



Thomas A. Faha, Regional Director
Department of Environmental Quality

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Cedar Mountain Stone Corporation voluntarily agrees to the issuance of this Order.

Edward C. Dalrymple, Jr.

Date: 02/10/21 By: *Edward C. Dalrymple, Jr.* President
(Person) (Title)
Cedar Mountain Stone Corporation

Commonwealth of Virginia
City/County of Culpeper

The foregoing document was signed and acknowledged before me this 10th day of February, 2021, by Edward C. Dalrymple, Jr. who is President of Cedar Mountain Stone Corporation, on behalf of the corporation.

Lauren M. Riner
Notary Public

7017530
Registration No.

My commission expires: 02/28/2022

Notary seal:

APPENDIX A SCHEDULE OF COMPLIANCE

1. SWMP dredging

- a. By May 31, 2021, submit written notification and photographic evidence demonstrating that Cedar Mountain Stone Corporation has successfully conducted preventative maintenance and dredging of the Stormwater Management Pond prior to Outfall 001.

2. Mineral Filler Material

- a. Within 30 days of the execution of this Order, submit a Corrective Action Plan to manage mineral filler (AKA asphalt bag house dust) piles such that its contents do not enter state waters.
- b. This Corrective Action Plan shall become enforceable under this Order, per Section E.12. All corrective actions under this Plan shall be completed within 180 days of the execution of the Order.
- c. Cedar Mountain Stone Corporation shall respond to DEQ's comments regarding the Plan's contents, or implementation of the Plan, within 7 business days.

3. Routine Facility Inspections

- a. Submit a copy of the quarterly routine facility inspection report for the quarterly period following the execution of this Order. This shall be received no later than the 10th day of the month following the examined quarter, e.g., a routine facility inspection report for the January – March period would be due no later than April 10th.

4. Permit Amendment

- a. By March 31, 2021, submit all information necessary with the Registration Statement to finalize the addition of Outfall 003 to the Facility's Permit.

Unless otherwise specified in this Order, Cedar Mountain Stone Corporation shall submit all requirements of Appendix A of this Order to:

**Virginia Department of Environmental Quality
Northern Regional Office
Attn: Enforcement
13901 Crown Court
Woodbridge, VA 22193**